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4 **UNITED STATES DISTRICT COURT**

5 EASTERN DISTRICT OF CALIFORNIA

6 ELIAS JAME PEREZ GARZA,

Case No. 1:20-cv-01065-SKO

7 Plaintiff,

**ORDER LIFTING STAY TO PERMIT
APPROVAL OF MOTION TO
PROCEED IN FORMA PAUPERIS AND
FOR SERVICE UPON DEFENDANT**

8 v.
9

10 ANDREW M. SAUL,
11 Commissioner of Social Security,

12 Defendant.
13 _____/

14 On July 31, 2020, Plaintiff Elias James Perez Garza filed this action seeking judicial review
15 of a final decision of the Commissioner of Social Security (“Commissioner”) denying his
16 applications for disability benefits pursuant to the Social Security Act. (Doc. 1.) Plaintiff also filed
17 an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2.)

18 On August 3, 2020, the Court entered an order staying proceedings in this matter pursuant
19 to General Order No. 615 (“G.O. No. 615”). (Doc. 3.) G.O. No. 615, issued April 14, 2020, stays
20 all Social Security actions filed after February 1, 2020, until the Commissioner may begin normal
21 operations at the Office of Appellate Hearings Operations and may resume preparation of a certified
22 copy of the administrative record. *See* E.D. Cal. G.O. No. 615.

23 Upon reconsideration of G.O. No. 615, the Court has determined that the General Order
24 contemplated: (1) Plaintiff’s payment of the filing fee or adjudication of an application to proceed
25 *in forma pauperis*; and (2) issuance of a summons and service of the complaint upon the
26 Commissioner, despite staying the proceedings in all other regards.

27 Accordingly, it is hereby ORDERED that the stay in this matter shall be lifted for the limited
28 purpose of: (1) adjudication of Plaintiff’s pending application to proceed *in forma pauperis* (Doc.

1 2); and (2) issuance of the summons by the Clerk of Court to permit service of the complaint on the
2 Commissioner. In all other regards, the stay of proceedings in this case shall continue and will be
3 automatically lifted when the Commissioner files the certified copy of the administrative record.

4 *See* E.D. Cal. G.O. 615 ¶¶ 6, 10.

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6 IT IS SO ORDERED.

7 Dated: September 22, 2020

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE